

**ENTERED**

January 28, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

DANIEL LOPEZ,

Plaintiff,

VS.

CITY OF CORPUS CHRISTI, *et al*,

Defendants.

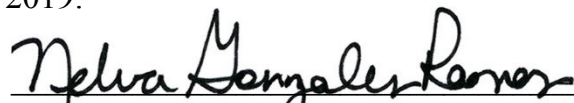
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CIVIL ACTION NO. 2:18-CV-430

**ORDER**

Before the Court are Defendants' Motions to Dismiss (D.E. 7, 8). With leave of Court, Plaintiff timely filed an amended complaint (D.E. 14), which does not reference the earlier complaint (D.E. 1). "An amended complaint supersedes the original complaint and renders it of no legal effect unless the amended complaint specifically refers to and adopts or incorporates by reference the earlier pleading." *King v. Dogan*, 31 F.3d 344, 346 (5th Cir. 1994) (citing *Boelens v. Redman Homes, Inc.*, 759 F.2d 504, 508 (5th Cir.1985)). A Rule 12(b)(6) motion addressed to a superseded complaint is moot. *See Maxim Integrated Prod., Inc. v. State Farm Mut. Auto. Ins. Co.*, No. SA-14-CV-1030-XR, 2015 WL 10990119, at \*1 (W.D. Tex. Feb. 12, 2015) (citing *Merritt v. Fogel*, 349 F. App'x 742, 745 (3d Cir. 2009)). Consequently, the Court TERMINATES AS MOOT Defendants' Motions to Dismiss (D.E. 7, 8).

ORDERED this 28th day of January, 2019.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE